

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ZACHARY ENSLOW,

Plaintiff,

Case No. 3:19-cv-01794-YY

v.

OPINION AND ORDER

**OREGON STATE, MULTNOMAH
COUNTY, REGIONAL JUSTICE
CENTER, MULTNOMAH SHERIFF'S
AND POLICE DEPARTMENT,**

Defendants.

MOSMAN, J.,

On July 31, 2020, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (F. & R.) [15]. Judge You recommended that I DISMISS this case with prejudice. Plaintiff filed objections [17] after the deadline to do so had passed. Upon review, I agree with Judge You and DISMISS this case with prejudice.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or

recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F. & R. to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F. & R. depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F. & R. 28 U.S.C. § 636(b)(1)(C).

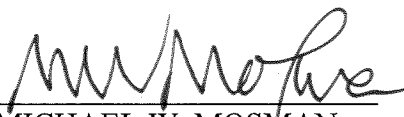
Mr. Enslow's untimely objections are not persuasive. Judge You recommended that I dismiss this case in part because the complaint fails to state a claim for relief. The objections add nothing except conclusory statements that the complaint does in fact state a claim for relief and has merit. I agree with Judge You's conclusion that the complaint in fact does not.

CONCLUSION

Upon review, I agree with Judge You's recommendation and I ADOPT the F. & R. [15] as my own opinion. This case is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 25th day of September, 2020.


 MICHAEL W. MOSMAN
 United States District Judge